

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN
AND
THE HONOURABLE MR.JUSTICE S.BASKARAN

H.C.P.NO.2204 OF 2016

R.Mallika

.. Petitioner

Vs.

1.The Commissioner
Directorate of Social Defense Office
No.300, Purasaiwakkam High Road,
Purasaiwakkam,
Chennai - 600 010.

2.The Superintendent
Directorate of Social Defense
No.300, Purasaiwakkam High Road,
Purasaiwakkam, Chennai - 600 010.

3.Probation Officer
Government Observation Home
No.34, East Bauleward Road,
Trichy - 620 002.

4.The Commissioner
Greater Chennai Police
Commissioner's Office
Veppery, Chennai - 7.

5.The Commissioner
Commissioner's Office
No.30, Race Course Saalai,
Gajamalai, Trichy - 620 023.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Habeas Corpus directing the respondents to produce the detainee R.Meena, D/o. Rameshkumar, aged about 11 years, before this Court and to set her at liberty and to direct the respondents to surrender the custody of minor girl child namely Meena to her parents namely Rameshkumar and R.Mallika.

For Petitioner : Mr.V.Vinothkumar

For Respondents : Mr.V.M.R.Rajentren
Additional Public Prosecutor

O R D E R

[Order of the Court was made by S.BASKARAN, J.]

This Habeas Corpus Petition has been filed by the mother of the detainee R.Meena, D/o. Rameshkumar, aged about 11 years, praying for a direction to the respondents to produce the detainee before this Court and to set her at liberty and to direct the respondents to surrender the custody of minor girl child namely Meena to her parents namely Rameshkumar and R.Mallika.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent State.

3. The detainee R.Meena is produced before this Court by the second respondent. The petitioner herein, who is the mother of the detainee is also present.

4. On enquiry, it is found that the detainee had gone missing from her residence at Mayiladuthurai and was secured at Trichy by the second respondent. Now, the minor detainee is willing to go along with her mother, the petitioner herein. The petitioner is also employed at Ananthathandapuram Village, Mayiladuthurai Taluk and she is having means to sustain the minor detainee.

5. Since the petitioner expressed her desire to take the minor daughter along with her and in the circumstances stated by her and as the detainee is also willing to go along with her mother, the detainee R.Meena is permitted to go along with her mother, the petitioner herein, and the second respondent is directed to hand over the detainee to the petitioner, on proper identification of the petitioner.

6. The Habeas Corpus Petition is ordered accordingly.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

TK

To

- 1.The Commissioner
Directorate of Social Defense Office
No.300, Purasaiwakkam High Road,
Purasaiwakkam, Chennai - 600 010.
 - 2.The Superintendent
Directorate of Social Defense
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Commissioner's Office
No.30, Race Course Saalai,
Gajamalai, Trichy - 620 023.
 - 6.The Public Prosecutor
High Court of Madras
Chennai.
- 1 cc to Mr.V. Vinothkumar, Advocate, Sr. 60824

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